

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL MINUTE ORDER**

JUDGE Joseph C. Spero

COURT DEPUTY: Karen Hom

DATE: August 7, 2008

COURT REPORTER: Belle Ball

CASE NO. CR08-0160 SI (JCS)

TIME: 1 hr 17mins

NAME: USA v. John Joseph Cota

PRETRIAL: Allen Lew & Richelle Bracamonte

COUNSEL FOR GOVERNMENT:
Jonathan Schmidt

COUNSEL FOR DEFENDANT:
Jeff Bornstein
John Cox for Dft Fleet Mgmt Europe, et al.

COUNSEL FOR MATERIAL WITNESSES in CR07-90552 MISC VRW (JCS):

Brian Berson for Brian Getz for Hong Zhi Wang (material witness present)

Petra M. Reinecke for Mao Cai Sun (material witness not present)

Jonathan Howden for Kong Xiang Hu, Shun Biao Zhao, Liang Xian Zheng & Zong Bin Li (material witnesses not present)

PROCEEDINGS:

RULING:

1. Motion to Vacate or Continue Rule 15 Depos [Docket #65]

2. Motion to Vacate Current Deposition Dates and Refer Motion to Vacate or Continue Rule 15 Depos to Judge Spero [Docket #67]

3. Witness Wang's Renewed Motion to Return to China Pending Trial Testimony [Docket no. 79]

Denied w/o prejudice.

NOTES: Appearances of material witnesses and Dft Cota were waived for today's proceedings.

ORDERED AFTER THE HEARING: Court set forth the following schedule:

Gov't shall produce all discovery that it knows about, that has been requested, or obliged to produced by **8/18/8**. Gov't to produce expert reports by **9/2/8**.

Material witness counsel shall file submissions re: question of whether witnesses should be deposed, when they should be deposed, who they are, what is their role, what are the facts, what the testimony will be, and why they should be deposed by **9/2/8**. Submissions will not be filed under seal unless further order from the Court.

Defendants shall file in camera submissions by **Noon on 9/12/8**.

Deposition of the Boatswain Liang Xian Zheng to be taken on **10/1/8**, and deposition of the Helmsman Zong Bin Li to be taken on **10/3/8**. (Tentative dates). Depos will proceed if there is no opposition from any of the parties.

Gov't shall, forthwith, provide material witness statements to material witness counsel.

CASE CONTINUED TO: **09/18/8 at 2:00 PM**, for continued hearing on the Motions and submissions from Material Witnesses and Defendants.

ORDER EXCLUDING TIME: from 8/7/8 to 9/18/8 for complexity and effective preparation of counsel. Gov't to prepare Order.

ORDER TO BE PREPARED BY: ☒ Asst. U.S. Attorney ☐ Defendant ☐ Court

cc: KLH, JCS